

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS  
(Boston Division)

UNITED STATES SECURITIES AND  
EXCHANGE COMMISSION,

Plaintiff,

V.

STEVEN E. NOTHERN,

Defendant.

Civil Action No. 05-10983 (NMG)

**ORAL ARGUMENT REQUESTED**

**DEFENDANT STEVEN NOTHERN'S MOTION  
TO COMPEL PRODUCTION OF DOCUMENTS**

Pursuant to Federal Rule of Civil Procedure 37(a) and Local Rule 37.1, defendant Steven E. Nothorn hereby moves for an order (a) compelling the plaintiff Securities and Exchange Commission to produce all relevant documents requested by Nothorn that are held by the SEC, the Treasury Department, the Justice Department, and any other federal agency, and (b) awarding Nothorn his reasonable expenses, including attorneys' fees, incurred in making the motion.

In support of this Motion, Nothern relies on the Memorandum in Support of Defendant's Motion to Compel Production of Documents and the Declaration of Kevin B. Currid filed herewith.

**REQUEST FOR ORAL ARGUMENT**

Pursuant to Local Rule 7.1(d), Steven E. Nothern hereby requests the Court to schedule an oral argument in connection with his Motion to Compel.

STEVEN E. NOTHERN

By his attorneys,

/s/ John A. Shope  
Nicholas C. Theodorou, BBO #495730  
John A. Shope, BBO #562056  
Kevin B. Currid, BBO #644413  
FOLEY HOAG LLP  
155 Seaport Boulevard  
Boston, MA 02210  
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**CERTIFICATION PURSUANT TO LOCAL RULES 7.1(A)(2) AND 37.1**

I, John A. Shope, hereby certify that on December 13, 2005, counsel for the defendant conferred with counsel for the SEC and attempted in good faith to resolve or narrow the issues raised in the Motion.

/s/ John A. Shope

Dated: February 17, 2006